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November 19, 1993

Mr. William F. Caton  
Acting Secretary  
Federal Communication Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: Comments in MM Docket No. 93-248

Dear Mr. Caton

Transmitted herewith, on behalf of Beaverkettle Company, licensee of FM broadcast station WHBC-FM, Canton, Ohio, are the original and four (4) copies of its Comments in the above-referenced proceeding.

Should you have any questions with respect to the above matter, please contact the undersigned.

Very truly yours

Wayne Coy Jr.

Enclosures

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NOV 19 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

BEFORE THE

**Federal Communications Commission**

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments  
FM Broadcast Stations  
(Pleasant City, Ohio))  
)  
)  
)  
)  
)MM Docket No. 93-248  
RM-8321

To: The Commission

**COMMENTS**

Beaverkettle Company, licensee of FM broadcast station WHBC-FM, Canton, Ohio, through its attorney, offers the following Comments in this proceeding in the belief that the public interest will better be served by the Assignment of FM Channel 221A to Pleasant City in lieu of the proposed Channel 232A. In support thereof, the following is offered;

**BACKGROUND**

WHBC-FM operates on FM Channel 231A, a first adjacent channel to the proposed Pleasant City allotment. As is more fully developed in the attached Engineering Statement, the reference coordinates for the proposed allotment comply with the minimum separation from WHBC-FM by .01 kilometers, and fail to comply with the minimum separation from the reference coordinates for the City of Chillicothe. There is an outstanding Construction Permit for station WFCB on Channel 232B at Chillicothe, which, if licensed to

the authorized site, would supersede the reference point and provide minimum separation for the Pleasant City allocation. Counsel was unable to determine the exact regulatory status of the Permit.

#### **THE CURRENT EBS PLAN FOR EAST CENTRAL OHIO**

Under the existing Emergency Broadcast System plan for the East Central Ohio Operational Area, WHBC-FM, along with its sister station WHBC(AM), are the CPCS-1 stations for this operational area, which includes Guernsey and Coshocton Counties. All of the stations in the operational area monitor WHBC-FM and WHBC(AM) for activation of the EBS service to alert them to a variety of emergency situations including storm warnings, hazardous weather conditions, flooding, and other national, regional, and local emergencies. If the allocation of Channel 232A is implemented for Pleasant City, destructive, if technically permitted, interference will occur in the reception of WHBC-FM in all or most of Guernsey and Coshocton Counties, causing a major disruption in the EBS operational plan that is in place today. Whether or not the stations that now monitor WHBC-FM can find an alternative CPCS-1 station is not known at this time.

#### **THE ALLOCATION OF CHANNEL 221A WOULD PROVIDE COMPARABLE SERVICE**

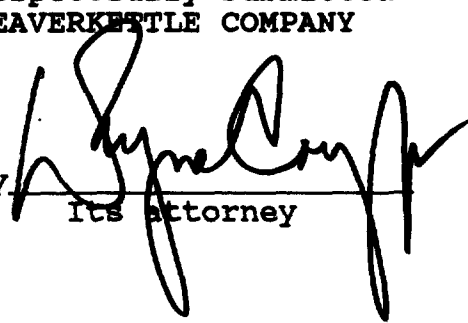
The Commission has historically preferred allocations that meet all spacing requirements without burdensome site limitations or other contingencies. Happily, such an allocation is available that will serve Pleasant City. Again, as more fully

set forth in the attached Engineering Statement, an allocation of FM Channel 221A meets all of the relevant spacing requirements without the need to await further development (or not) at Chillicothe. Such a facility would be fungible with the proposed allocation in providing all but identical service to the Pleasant City area without delay due to events beyond its control in Chillicothe. In addition, the allocation of 221A would leave the EBS Operational Plan for the whole East Central portion of the State undisturbed.

#### CONCLUSION

In conclusion, Beaverkettle asserts that the public interest would be served in three significant ways by an allocation of FM Channel 221A to serve Pleasant City. First the objective of the Proposed Rule Making in allocating a first service to Pleasant City is preserved. Secondly, a delay of unknown and uncontrollable length is avoided. Finally, the existing Operational Plan for supplying the East Central portion of the State with emergency information is left undisturbed.

Respectfully Submitted  
BEAVERKETTLE COMPANY

By   
Its attorney

November 19, 1993

ENGINEERING STATEMENT IN  
SUPPORT OF COMMENTS

MM DOCKET 93-248  
Beaverkettle Company  
Canton, OH

November 18, 1993

Prepared for: Mr. William Glasser  
Beaverkettle Company  
P.O. Box 9917  
Canton, OH 44711

**CARL E. SMITH CONSULTING ENGINEERS**

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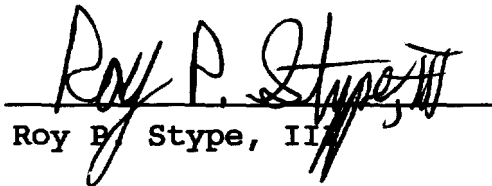
Appendix A - East Central Ohio EBS Plan

ENGINEERING AFFIDAVIT

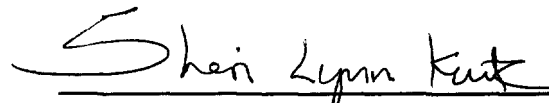
State of Ohio                    )  
                                      )  
County of Summit                )     ss:

Roy P. Stype, III, being duly sworn, deposes and states that he is a graduate Electrical Engineer, a qualified and experienced Communications Consulting Engineer whose works are a matter of record with the Federal Communications Commission and that he is a member of the Firm of "Carl E. Smith Consulting Engineers" located at 2324 North Cleveland-Massillon Road in the Township of Bath, County of Summit, State of Ohio, and that the Firm has been retained by the Beaverkettle Company to prepare the attached "Engineering Statement In Support of Comments - MM Docket 93-248."

The deponent states that the Exhibit was prepared by him or under his direction and is true of his own knowledge, except as to statements made on information and belief and as to such statements, he believes them to be true.

  
Roy P. Stype, III

Subscribed and sworn to before me this 18th day of November, 1993.

  
Notary Public

SHERI LYNN KURTZ, Notary Public  
For the State of Ohio  
My Commission Expires June 14, 1995  
Recorded in Summit County

/SEAL/

## ENGINEERING STATEMENT

This engineering statement is prepared on behalf of the Beaverkettle Company, licensee of Radio Station WHBC-FM - Canton, Ohio. It supports comments in MM Docket 93-248, which proposes to allot Channel 232A to Pleasant City, Ohio.

### Proposed Allotment Will Have Adverse Impact on EBS

WHBC-FM operates on Channel 231B, a first adjacent channel to the proposed Pleasant City allotment. The proposed reference coordinates for this allotment lie 113.01 kilometers from WHBC-FM, just marginally complying with the required spacing of 113 kilometers, as outlined in Section 73.207 of the FCC Rules. This marginal separation will probably result in the station which occupies this proposed allotment causing interference to the reception of WHBC-FM in its southern fringe coverage areas. In fact, using the interference standards outlined in Section 73.215 of the FCC Rules, it appears that a facility occupying this proposed allotment would result in destructive interference to WHBC-FM over all or most of Guernsey and Coshocton Counties and the southern portion of Tuscarawas County, including areas within the WHBC-FM 54 dBu contour.

While it is recognized that Section 73.209 of the FCC Rules does not protect stations from this sort of interference, there are other public interest factors which must be considered in this case. Appendix A of this statement is a copy of the EBS plan for the East Central Ohio Operational Area. As outlined in this plan WHBC-FM, along with WHBC(AM), are the CPCS-1 stations for this operational area, which includes Guernsey and Coshocton Counties. All stations in this operational area, including those



in these two counties, monitor WHBC-FM to receive emergency information under this plan. The allotment of Channel 232A to Pleasant City, as proposed, would almost certainly make it impossible for these stations to monitor WHBC-FM, resulting in these stations, and thus the residents of these counties, being isolated from prompt access to much needed information in an emergency, such as a tornado or a flash flood. Such a situation is definitely not in the public interest and should be avoided if at all possible.

#### Channel 221A Can Be Allotted to Pleasant City

Table 1.0 is an FM spacing study for Channel 221A from a site 11.5 kilometers north-northeast of Pleasant City. The geographic coordinates of this site are:

NL - 40° 00' 00"

WL - 81° 29' 30"

An examination of this table shows that operation on Channel 221A from this site would meet the spacing requirements to all other facilities requiring consideration. It should be noted that, under the provisions of Section 73.208(c)(8) of the FCC Rules, the 114.75 kilometer spacing to WMPO-FM - Middleport, Ohio, is considered to comply with the required spacing of 115 kilometers.

Figure 1.0 is a map exhibit showing the predicted 3.16 mV/m (city grade) contour from the site specified above for Channel 221A. This contour was projected assuming maximum Class A facilities of 6 kilowatts ERP at 100 meters AAT utilizing terrain data from the NGDC 30 second terrain database. As shown in this figure, it will be possible to provide city grade service to all of Pleasant City on Channel 221A from a site which complies with all of the applicable spacing requirements.

Public Interest Considerations For Channel 221A

Allotting Channel 221A to Pleasant City in lieu of Channel 232A will serve the public interest in three distinct ways. First, it will permit an equivalent channel to that requested to be allotted to Pleasant City, thus providing comparable coverage to that which would be realized on Channel 232A. Second, it would avoid the adverse impact on the EBS system which would result from the allotment of Channel 232A. Finally, it would result in expedited implementation of service, since Channel 221A can be allotted immediately, unlike Channel 232A, which must await the grant of a license for WFCB - Chillicothe, Ohio, for its authorized operation on Channel 232B1.

TABLE 1.0

## FM ALLOCATION STUDY - CHANNEL 221A (92.1 MHz) - PLEASANT CITY, OH

-----  
 BEAVERKETTLE COMPANY  
 CANTON, OH

STUDY COORDINATES: 40/00/00 81/29/30

STATION	LOCATION	CHANNEL	CLASS	SPACING (km)	REQUIRED SPACING*	NOTES
-----	-----	-----	-----	-----	-----	-----
WKRJ	New Philadelphia, OH	218	A	62.65	31.0	2
WGLZ	West Liberty, WV	218	A	78.06	31.0	
BPED930324ME	Columbus, OH	218	A	130.85	31.0	6
BPED921104MA	Columbus, OH	218	A	130.85	31.0	6
BPED921029MB	Columbus, OH	218	A	130.85	31.0	6
DPED921026MA	Whitehall, OH	218	A	130.85	31.0	6
WMBP	Belpre, OH	219	A	72.60	31.0	
WOSV	Mansfield, OH	219	A	115.51	31.0	
WPHP	Wheeling, WV	220	A	72.15	72.0	
WKCO	Gambier, OH	220	A	87.47	72.0	
WOUH	Chillicothe, OH	220	A	134.87	72.0	
WVCS	California, PA	220	A	135.96	72.0	
WMPOFM	Middleport, OH	221	A	114.75	115.0	
WVHFFM	Clarkshurg, WV	221	A	124.75	115.0	5, 10
WKSTFM	Ellwood City, PA	221	A	140.64	115.0	
WNRR	Bellevue, OH	221	A	181.46	115.0	
WCOLFM	Columbus, OH	222	B	131.24	113.0	
WJMOFM	Cleveland Heights, OH	222	B	160.15	113.0	
WZKL	Alliance, OH	223	B	93.60	69.0	
WCVZ	South Zanesville, OH	224	A	40.70	31.0	
WCVZ	South Zanesville, OH	224	B1	58.73	48.0	2
WVHFFM	Clarksburg, WV	224	A	128.03	31.0	4
WTUS	Mannington, WV	274	A	125.11	10.0	1, 2
WYFM	Sharon, PA	275	B	160.50	15.0	

\* Required Spacing Per Section 73.207 of The FCC Rules

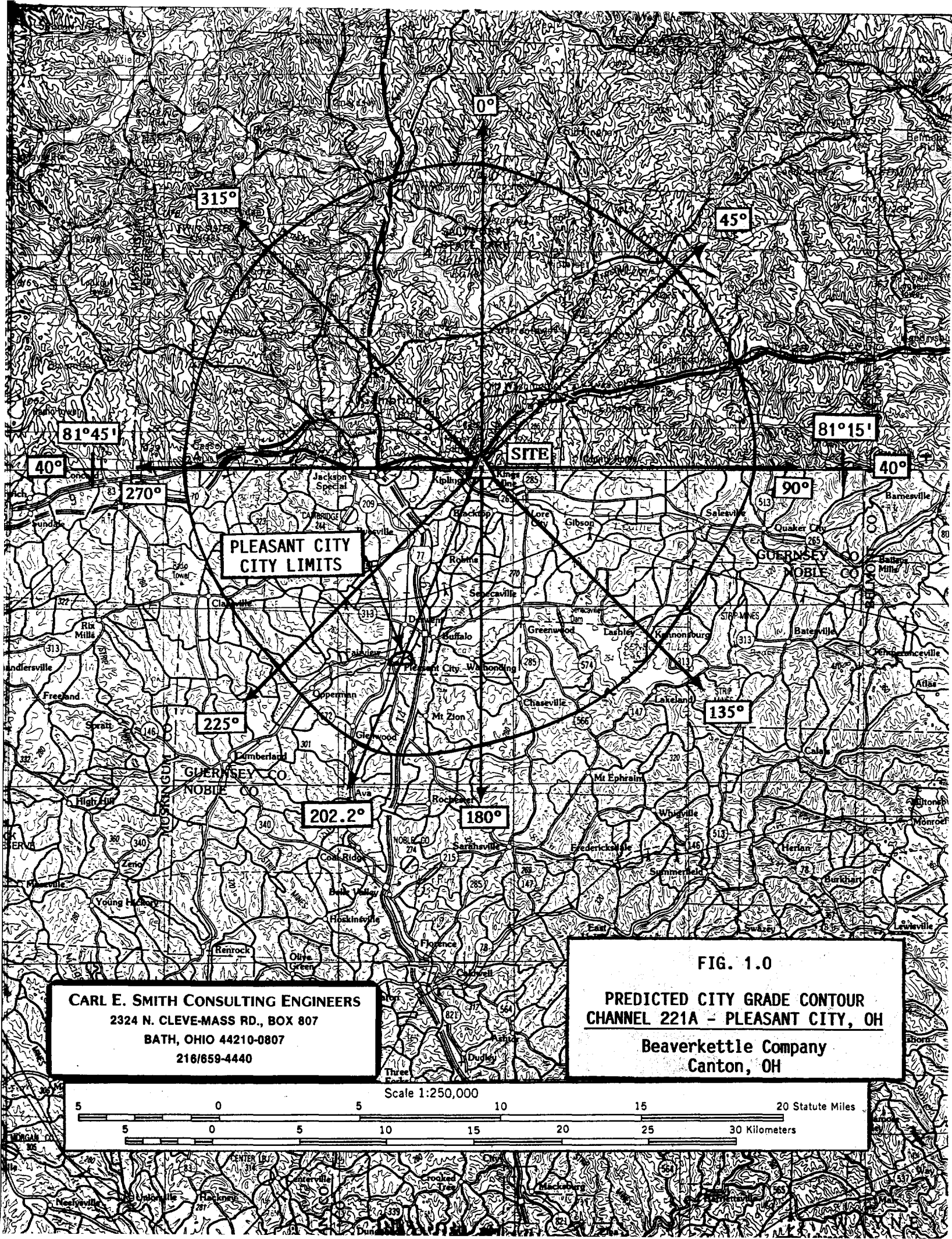
TABLE 1.0 (continued)

FM ALLOCATION STUDY - CHANNEL 221A (92.1 MHz) - PLEASANT CITY, OH

-----  
BEAVERKETTLE COMPANY  
CANTON, OH

Notes:

- |                                      |                         |
|--------------------------------------|-------------------------|
| 1 - Applied For Under Section 73.215 | 6 - Pending Application |
| 2 - Construction Permit              | 7 - Proposed Rulemaking |
| 3 - Channel Deletion Proposed        | 8 - Rulemaking Petition |
| 4 - Move From This Channel Ordered   | 9 - Short-Spaced        |
| 5 - Move to This Channel Ordered     | 10 - Vacant Allotment   |



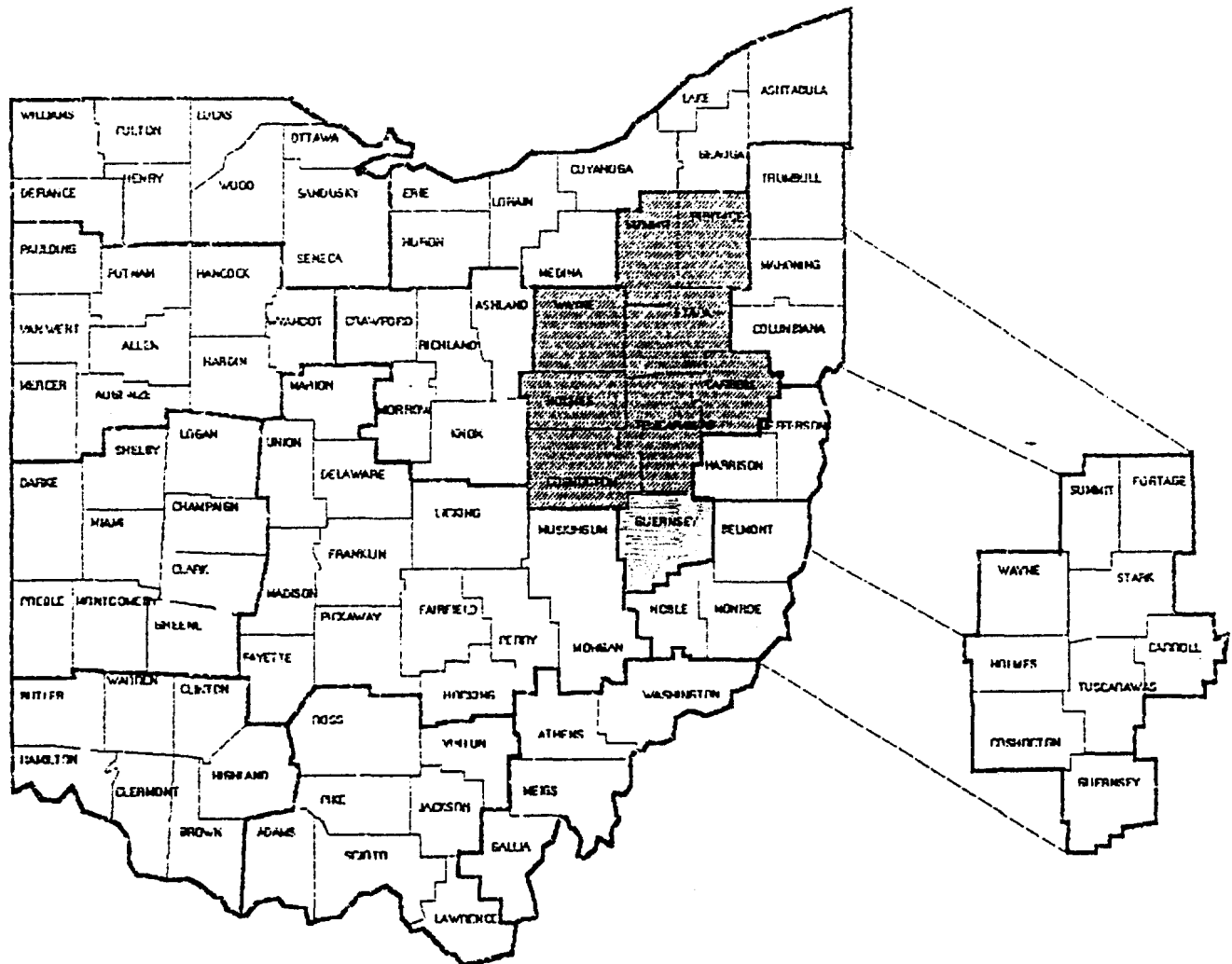
CARL E. SMITH CONSULTING ENGINEERS  
2324 N. CLEVE-MASS RD., BOX 807  
BATH, OHIO 44210-0807  
216/659-4440

FIG. 1.0  
PREDICTED CITY GRADE CONTOUR  
CHANNEL 221A - PLEASANT CITY, OH  
Beaverkettle Company  
Canton, OH

**APPENDIX A**

**EAST CENTRAL OHIO EBS PLAN**

# EAST CENTRAL OHIO EMERGENCY BROADCAST SYSTEM OPERATIONAL AREA PLAN



EMERGENCY BROADCAST SYSTEM

EAST CENTRAL OHIO  
OPERATIONAL AREA

PLAN AND PROCEDURES  
FOR THE FOLLOWING OHIO COUNTIES

CARROLL  
COSHOCOTON  
GUERNSEY  
HOLMES  
PORTAGE  
STARK  
SUMMIT  
TUSCARAWAS  
WAYNE

ADDITIONAL PROCEDURES FOR  
THE FOLLOWING COUNTIES IN  
THE UPPER OHIO VALLEY OPERATIONAL AREA

BELMONT  
MONROE  
NOBLE

Revised November 30, 1985  
Second Revision July 1, 1986  
Third Revision October 1991

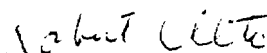


APPROVALS

This East Central Ohio Operational Area EBS Plan was developed and approved by the East Central Ohio Emergency Communications Committee, and the National Weather Service in cooperation with the Ohio Emergency Management Agency.

  
William C. Glasser, Chairman  
Emergency Communications Committee

  
Earl Miller, Vice-Chairman  
Emergency Communications Committee

7  
  
Robert Alto, O.I.C.  
National Weather Service  
Akron-Canton Airport

  
Jeffrey J. Bennett, Chairman  
State Emergency Communications Committee

  
Mark A. Patchen, Chief, Support Services  
Ohio Emergency Management Agency

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DISTRIBUTION:

(2)	WAKR	(CPCS-2)	Belmont County Sheriff
(2)	WBTC		Carroll County Sheriff
	WCUE		Coshocton County Sheriff
(2)	WDPN	(Pri Relay)	Guernsey County Sheriff
(15)	WHBC	(CPCS-1)	Holmes County Sheriff
	WHLO		Monroe County Sheriff
(2)	WILE		Noble County Sheriff
	WINW		Portage County Sheriff
(2)	WJER		Stark County Sheriff
(2)	WJMP		Tuscarawas County Sheriff
(2)	WKVX		Wayne County Sheriff
	WRCW		
(2)	WSLR		
(2)	WSOM		Belmont County Director, EMA
	WTIG		Carroll County Director, EMA
(2)	WTNS		Coshocton County Director, EMA
	WAPS		Guernsey County Director, EMA
	WCWS		Holmes County Director, EMA
	WKLM		Monroe County Director, EMA
	WKSU		Noble County Director, EMA
	WQMX		Portage County Director, EMA
	WRMU		Stark County Director, EMA
	WSTB		Summit County Director, EMA
	WTOF		Tuscarawas County Director, EMA
	WTUZ		Wayne County Director, EMA
	WZIP		
	WAKC-TV		
	WBNX-TV		
	WDLI-TV		
(2)	WEAO-TV		
	WOAC-TV		
	WOUC-TV		
	Warner Cable, Canton		
	OAB		
(3)	FCC		
(4)	Ohio EMA (Columbus)		
	Ohio SECC Chairman		
	E.C. Ohio OAECC Chairman		
	E.C. Ohio OAECC Vice-Chairman		
(2)	NWS, Akron-Canton		
	NWS, Youngstown		
	NWS, Cleveland		
	NWS, Columbus		

Additional copies of this plan  
can be obtained from:

William C. Glasser  
WHBC Radio  
P. O. Box 9917  
Canton, Ohio 44711  
Phone: (216) 456-7166

I. PURPOSE

This document provides procedures agreed upon by the broadcast industry which will permit designated federal, state and local government officials and the National Weather Service to issue emergency information, instructions and warnings to the general public of East Central Ohio by activating the Emergency Broadcast System.

II. AUTHORITY

Federal Communications Commission Rules and Regulations, Volume III, Part 73, Subpart G.

III. GENERAL INFORMATION

- A. This plan was prepared by members of the East Central Ohio Operational Area Emergency Communications Committee (OAECC) in cooperation with the State of Ohio Emergency Management Agency (EMA), the National Weather Service and County Emergency Management Agencies. The plan provides background data and prescribes specific procedures for the broadcast media to disseminate emergency information and warnings to the general public at the request of designated local, State and Federal government officials. (Notifiers)
- B. The East Central Ohio Operational Area EBS Plan may be activated on a day-to-day basis in response to such emergencies as: tornados, severe storms, flash floods, widespread fires, discharge of toxic chemicals or gases, industrial explosions, widespread power failures, civil disturbances, or any other occurrence which poses an immediate threat to health, life, safety or property. The plan provides for access to the EBS by designated officials (notifiers) in each of the nine area

counties through the Common Program Control Station WHBC (CPCS-1) or through local participating EBS stations. The plan also accommodates the local needs of Belmont, Monroe and Noble Counties in the Upper Ohio Valley Operational Area. Notifiers in these counties may contact WILE in Cambridge to activate WILE, WCMJ Cambridge, WBNV Barnesville and WWKC Caldwell.

- C. Acceptance of or participation in this plan shall not be deemed as a relinquishment of program control, and shall not be deemed to prohibit a broadcast licensee from exercising independent discretion and responsibility in any given situation. The management of each broadcast station may exercise discretion regarding the broadcast of EBS emergency information and instructions to the general public as provided by FCC Rules, Volume III, Part 73, Subpart G.
- D. In the event of an extended emergency, stations with certain power, pattern and operating hour limitations may forgo those limitations subject to conditions set forth in Subpart G and Section 73.1250.
- E. All participating EBS stations have permission to rebroadcast any EBS emergency information. Stations originating such communications shall be deemed to have conferred rebroadcast authority beginning with the issuance of the EBS alerting tones and ending with EBS termination statements.
- D. This plan shall be considered an appendix to, and part of, the Ohio State Emergency Broadcast System Operational Plan.

#### **IV. NOTIFIERS**

- A. The Emergency Management Agency director and sheriff of each county listed in Annex D of this plan shall be the designated officials authorized to request activation of the East Central Ohio EBS. The National Weather Service Office at Akron-Canton Regional Airport shall serve as primary notifier for weather related emergencies. Other local officials must request EBS activation through the authorized notifiers. Each notifier will be given code words by the operational area communications committee which will be used to authenticate requests for operational area EBS activation. The code words will be revised periodically.

#### **V. ORIGINATING STATIONS**

- A. The originating station for the East Central Ohio Operational Area EBS Plan is WHBC, 1480 KHz (AM) and 94.1 MHz (FM) in Canton. WHBC is the Common Program Control Station, Priority 1 (CPCS-1) for East Central Ohio in the State EBS Plan. These stations operate 24-hours per day and are protected by standby emergency power generators. A FEMA approved fallout shelter, equipped for broadcast is located in the basement of the WHBC studio building. Direct two-way radio communications and remote pickup facilities exist between the WHBC control room, the National Weather Service at Akron-Canton Regional Airport, the Stark County Emergency Operating Center (EOC) and the Emergency Management Director's car. (See Annex C). All broadcast stations in the operational area monitor WHBC-FM. WHBC in turn

monitors WVNO, Mansfield, which monitors WXGT-FM, Columbus, the State EBS originating station. See Annex E for WHBC contacts and phone numbers.

- B. The alternate originating stations are WAKR, 1590 KHz, and WONE-FM, 97.5 MHz in Akron (CPCS-2). If WHBC-FM is unable to operate during an emergency situation, WAKR and WONE-FM would assume control duties. In this case, all local stations would need to re-tune their EBS receivers to WAKR or WONE-FM. The CPCS-1 station personnel would call all the stations listed in Annex B informing them of the need to monitor WAKR or WONE-FM. Contact phone numbers for WAKR are given in Annex E.
- C. Station WHBC (CPCS-1) has an operating agreement with the National Weather Service at Akron-Canton Regional Airport to activate the East Central Ohio EBS system on request for severe storm or tornado warnings. These warnings are issued live from the Weather Service Office and are broadcast on a flash basis. Local EBS stations will receive the warning message, transmitted and repeated, via their EBS receivers.

D. LOCAL ORIGINATING STATIONS

In the case of localized emergency situations, designated EBS notifiers may request EBS activation through their local EBS stations. The following counties may activate these stations in local situations:

Belmont, Noble,

Monroe Counties - WILE, WCMJ - Cambridge

Carroll County	-	WDJQ, WDPN	- Alliance
		WHBC	- Canton
Coshocton County	-	WTNS	- Coshocton
Guernsey County	-	WILE, WCMJ	- Cambridge
Holmes County	-	WKVX, WQKT	- Wooster
		WKLM	- Millersburg
Tuscarawas County	-	WJER	- Dover
		WBTCV, WNPQ	- Uhrichsville
Wayne County	-	WKVX, WQKT	- Wooster

It is recommended that for localized emergencies in Summit, Portage and Stark Counties, WHBC (CPCS-1) be contacted due to the large number of area stations serving these counties. In this way, all stations will be alerted through operational area activation. Phone numbers for all area EBS stations are given in Annex B.

## VI. EBS MONITORING ASSIGNMENTS

### A. EAST CENTRAL OHIO STATIONS

All broadcast stations are required to have a properly functioning EBS monitor (receiver and decoder) in operation. ALL STATIONS IN THE EAST CENTRAL OHIO OPERATIONAL AREA SHOULD MONITOR WHBC-FM (94.1 MHz). This is in accordance with the State of Ohio EBS Operational Plan.

### B. SPECIAL MONITORING ASSIGNMENT - WILE

In addition to monitoring WHBC-FM, WILE in Cambridge should also monitor WWVA to cover satellite stations WBNV Barnesville and WWKC Caldwell which are located in the Upper Ohio Valley Operational Area.



## **VII. NOTIFICATION PROCEDURES**

### **A. BY NATIONAL WEATHER SERVICE**

The National Weather Service at Akron-Canton Regional Airport shall request activation of the operational area EBS system by contacting WHBC (CPCS-1) via two-way radio. Detailed activation procedures have been agreed upon by NWS and WHBC. The National Weather Service may, at their discretion, contact other EBS stations directly by telephone in the event of localized weather situations.

Upon activating the East Central Ohio Operational Area EBS, the Weather Service shall immediately read the weather bulletin in entirety, pause 5-seconds, then repeat the bulletin, closing with:

**"THIS HAS BEEN A SEVERE WEATHER BULLETIN FROM THE NATIONAL  
WEATHER SERVICE. STAY TUNED TO YOUR LOCAL EBS STATION FOR FURTHER  
WEATHER DEVELOPMENTS."**

Each such warning issued and transmitted by EBS activation shall be given an expiration time, which will be clearly stated during the emergency broadcast.

### **B. BY DESIGNATED LOCAL OFFICIALS**

Requests for activation of the East Central Ohio Operational Area Emergency Broadcast System can be made by contacting the WHBC control room (216) 456-7166 or, in the case of Stark County, by two-way radio (remote pickup unit KJQ-688 Base, KJQ-689 Stark County EOC, KA-2170 Mobile). The WHBC EBS remote pickup system operates on 161.67 MHz.